

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

NALAYSIA GRAVELY,

Plaintiff,

v.

**UNKNOWN AGENTS OF THE UNITED
STATES MARSHALS SERVICE,**

Defendant.

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Civil Action No. 2:25-00255

ORDER

On April 17, 2025, Plaintiff, acting *pro se*, filed her Application to Proceed Without Prepayment of Fees and Costs, Complaint claiming entitlement to relief pursuant to Bivens v. Six Unknown Federal Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S.Ct. 1999, 24 L.Ed.2d 619 (1971), and supporting Exhibits. (Document Nos. 1 - 3.) As Exhibits, Plaintiff attaches the following: (1) Affidavit of Naaysia Gravely; (2) Plaintiff's Affidavit; (3) Medical records concerning M.D., a minor child (Document No. 2-3, pp. 1 – 9); (4) Medical records concerning A.D., a minor child (Id., pp. 10 – 17); (5) Photographs allegedly take after a search of Plaintiff's property (Id., pp. 18 – 24); (6) A photograph of Plaintiff's prescription medication bottle (Id., p. 25); (7) A copy of Naaysia Gravely's "Criminal Bail Agreement: Cash Or Recognizance" as filed in the Magistrate Court for Kanawha County in Case No. 23-M20M-04504 (Id., pp. 26 – 28); (8) A copy of Naaysia Gravely's "Initial Appearance: Rights Statement" as filed in the Magistrate Court for Kanawha County in Case No. 23-M20M-04504 (Id., p. 29); (9) A copy of Plaintiff's "Criminal Complaint" as filed in the Magistrate Court for Kanawha County in Case No. 23-M20M-04507 (Id., pp. 30 – 31); (10) A copy of the Motion to Dismiss as filed in the Magistrate Court for Kanawha County in Case No. 23-M20M-04507 (Id., p. 32); (11) A copy of the Birth Certificate for A.D., a minor child (Id., p. 33); (12) A copy of the

Certificate of Live Birth for M.D., a minor child (Id., p. 34); (13) A copy of “Statements of Activity” (Id., p. 35 – 40); (14) A copy of Plaintiff’s “Earning Statement” for April 21, 2023 (Id., pp. 41 - 42); and (15) A copy of Plaintiff’s Apartment Lease Contract dated June 20, 2022 (Id., pp. 43 – 47). A review of the above documents reveal that the names of minor children are included in the Complaint, Naaysia Gravely’s Affidavit, and Plaintiff’s Affidavit. (Document Nos. 2, 2-1, and 2-2.) Additionally, the attached Exhibits include the following sensitive information: (1) The minor children’s medical records and other documents containing their date of birth (Document No. 2-3, pp. 1 – 17, 33 - 34); and (2) Copies of Court’s documents containing Plaintiff and Naaysia Gravely’s date of birth. (Id., pp. 26 – 31).


Rule 5.2(a) of the Federal Rules of Civil Procedure provides that “[u]nless the court orders otherwise, in an electronic or paper filing with the court that contains an individual’s social-security number . . . or birth day, the name of an individual known to be a minor, . . . the filing may include only: (1) the last four digits of the social-security number . . . ; (2) the year of the individual’s birth; (3) the minor’s initials” Fed. R. Civ. P. 5.2(a). According to Local Rule of Civil Procedure 5.2.1(a), “[t]he responsibility for redacting these personal identifiers rests solely with counsel and the parties.” Rule 5.2(d) of the Federal Rules of Civil Procedure, however, authorizes the filing of documents under seal without redaction. Thus, the undersigned finds it appropriate to place under seal the original Complaint, Naaysia Gravely’s original Affidavit, and Plaintiff’s original Affidavit and to file a redacted copy of the Complaint, Naaysia Gravely’s Affidavit, and Plaintiff’s Affidavit for public access which has the names of the minor children redacted. Accordingly, it is hereby **ORDERED** that the Clerk file the original Complaint, Naaysia Gravely’s original Affidavit, and Plaintiff’s original Affidavit under **SEAL** and to file the redacted copy of the Complaint, Naaysia Gravely’s Affidavit, and Plaintiff’s

Affidavit for public access. It is further **ORDERED** that Plaintiff's Exhibits containing confidential or sensitive information (Document No. 2-3, pp. 1 – 17, 26 -31, 33 - 34) be filed under **SEAL**. In any future filings, Plaintiff is **INSTRUCTED** to redact or use only the initials of the minor children and redact any individual's date of birth.

The Clerk is requested to send a copy of this Order to Plaintiff, who is acting *pro se*.

ENTER: April 21, 2025.




Omar J. Aboulhosn
United States Magistrate Judge